

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VLAD LYUBOVNY p/k/a/ "DJ VLAD,"

Plaintiff,

–against–

WILLIAM LEONARD ROBERTS II p/k/a
"RICK ROSS,"

Defendant.

USDS SDNY
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DATE FILED: 10/22/09

08 Civ. 07252 (PGG)

ORDER

PAUL G. GARDEPHE, U.S.D.J.:

After consultation with the parties during an October 19, 2009 telephone conference, this Court makes the following determinations:

It is hereby ORDERED that Defendant Roberts will retain new counsel by November 2, 2009, or will proceed pro se in the event that he cannot do so.

Defendant Roberts is further ORDERED to produce all documents responsive to Plaintiff's Document Requests No. 4-8, 12-13, and 18, as required by this Court's August 3, 2009 Order, including publishing agreements, recording agreements, and tax returns responsive to those requests by November 9, 2009.

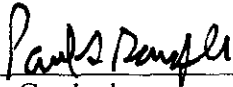
Defendant Roberts is further ORDERED to appear for a deposition in this action at 10:00 a.m. on **November 18, 2009** at plaintiff's counsel's office, Caplan & Ross, LLP, 100 Park Avenue, 18th floor, New York, New York 10017. Defendant Roberts's failure to produce all documents required to be produced by this Court's August 3, 2009 Order by the November 9, 2009 deadline, or failure to appear for his deposition on November 18, 2009 – whether or not he retains new counsel – will expose

Defendant Roberts to the risk of sanctions, up to and including the entry of a default judgment against him.

It is further ORDERED that the November 5, 2009 status conference in the above-captioned action is adjourned until **December 8, 2009 at 10:30 a.m.** in Courtroom 18B of the United States Courthouse, 500 Pearl Street, New York, New York.

Dated: New York, New York
October 20, 2009

SO ORDERED.



Paul G. Gardephe
United States District Judge